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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
10/724,134	12/01/2003	Harald Seidl	INF-116 1212	
48154 759	90 07/03/2006		EXAMINER	
SLATER & MATSIL LLP			GARCIA, JOANNIE A	
17950 PRESTO SUITE 1000	N ROAD		ART UNIT	PAPER NUMBER
DALLAS, TX 75252			2823	
			DATE MAIL ED: 07/03/2006	4

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary Examiner		Application No.	Applicant(s)						
Joannie A. García Joannie A. Joannie Joannie A. Joannie A. Joannie Joannie A. Joannie Joannie A. Joannie Joan		10/724,134	SEIDL ET AL.						
- The MAILING DATE of this communication appears on the cover sheet with the correspondence address - Period for Repty A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Elementor of time may be a validate under the previous of 3 CPR 1.136(i), in a event, however, as a reply be timely filled in the communication of the previous of 3 CPR 1.136(i), in a event, however, as a reply to timely filled in the communication of the previous of the previous of the communication of the previous of the previous of the Communication of the previous of the communication. Part of the previous of the Communication of the previous of the Communication of the previous of the Communication. **Status** 1) □ Responsive to communication (silled on 13 April 2006. 2a) ☑ This action is FINAL. 2b) ☐ This action is FINAL. 2c) ☐ This action is FINAL. 2c) ☐ This action is FINAL. 2b) ☐ This action is FINAL. 2c) ☐ This action is final in the application. 4a) ☐ Claim(s) ☐ This action is objected to the attack of this communication, which is a constant in the application. 4b) ☐ Claim(s) ☐ This action is a constant in the application of the attack of this action is a constant in the application is objected to by the Examiner. 2c) ☐ The drawing(s) filed on ☐ Islance is a constant in the application is objected to by the Examiner. 2c) ☐ This action of the priorit	Office Action Summary	Examiner	Art Unit						
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The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 20 is rejected under 35 U.S.C. 102(e) as being anticipated by Cabral, Jr. et al (US 2004/0092073 A1).

Cabral, Jr. et al discloses a capacitor having a first electrode plate 33 and a second electrode plate 35 and a layer of dielectric 34 formed between the first electrode plate and the second electrode plate (Figure 29), wherein the second electrode plate could be formed from at least a layer made of ruthenium or ruthenium oxide and a layer made of polysilicon, with a barrier layer between the layer made of ruthenium or ruthenium oxide and the layer made of polysilicon, since Cabral, Jr. et al discloses that the second electrode could be a multilayer or mixtures thereof including ruthenium, ruthenium oxide, TaN, TaSiN, and polysilicon, and therefore, a second electrode plate formed of ruthenium or ruthenium oxide, a barrier layer made of TaN or TaSiN, and a polysilicon layer could have been achieved (Paragraph 0091 and 0095).

Claims 14-19, 22-29, and 32-34, are allowed.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joannie García whose telephone number is (571) 272-1861. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Smith, can be reached on (571) 272-1907. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

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applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

George Fourson
Primary Examiner

Art Unit 2823

JÄG

June 23, 2006

GFourson

Primary Examiner